

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WIZKIDS CREATIONS CO.,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION No. 02-CV-4358
v.	:	
	:	
C.B.S. INC. and	:	
COLUMBIA BROADCASTING	:	
SERVICES, INC.,	:	
	:	
Defendants.	:	
	:	

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2003, it is hereby ORDERED  
that Plaintiff's Motion Concerning the Burden of Proof is hereby DENIED.

\_\_\_\_\_  
Brody, J.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WIZKIDS CREATIONS CO.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION No. 02-CV-4358
	:	
C.B.S. INC. and	:	
COLUMBIA BROADCASTING	:	
SERVICES, INC.,	:	
	:	
Defendants.	:	
	:	

**DEFENDANT’S RESPONSE IN OPPOSITION TO PLAINTIFF’S  
MOTION CONCERNING THE BURDEN OF PROOF**

Defendant Columbia Broadcasting Services Inc. (“CBS”) hereby opposes plaintiff’s motion entitled “Plaintiff Moves the Court to the Burden of Proof on All Defendants.” The motion is incomprehensible. Defendant maintains that it has not infringed any copyright or committed any trespass and reiterates all of the arguments set forth in its pending motion to dismiss.

Dated: January 28, 2003

Respectfully submitted,

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Gayle Chatilo Sproul  
DECHERT LLP  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date caused a copy of Defendant's Response in Opposition to Plaintiff's Motion Concerning the Burden of Proof to be served by first-class mail upon the plaintiff pro se as follows:

WizKids Creations Co.  
c/o Larry Hackney  
5422 Chester Avenue  
Philadelphia, PA 19143

Dated: January 28, 2003

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Gayle Chatilo Sproul